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with said graft member.

REMARKS

Claims 1 - 33, 35 - 42 are pending in the application. Claim 41 has been further amended in formal regards only. No new matter has been introduced by this Amendment. Claims 30- 33 and 35- 40 stand withdrawn from consideration by the Patent and Trademark Office (PTO) as being directed to a non-elected invention, and will be canceled when claims 1-30, 41 and 42 are indicated to be in condition for allowance. No new issues have been raised by the Amendment which require further consideration or search. Entry and reconsideration are respectfully requested.

DOUBLE PATENTING REJECTION:

The Examiner has rejected claim 41 under the judicially created doctrine of double patenting over Claims 1, 2 and 4 of U.S. patent No. 5,876,432. Applicants respectfully traverse this rejection.

Claims 1, 2 and 4 of the '432 patent require that the coupling member be movable along the undulation amplitude. A similar function in Applicants' invention is member 20, and not the recited tape member. To more clearly define the recited tape member, claim 41 has been amended to recite that the windings of the tape member are adhered in contact with the graft member, a feature previously added to the claims submitted in the Applicants February 3, 1999 Amendment. Applicants therefore respectfully submit that this rejection is improper and should

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be withdrawn.

SUBMISSIONS PURSUANT TO 37 C.F.R. § 1.56

Applicants acknowledge the Examiner's correction of the record to reflect the propriety and consideration of submissions pursuant to 37 C.F.R. § 1.56.

CONCLUSION:

Applicants respectfully submit that claims 1-30, 41 and 42 are in condition for allowance, and that action is earnestly solicited.

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AUTHORIZATIONS:

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3359-4005US1.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

A handwritten signature in dark ink, appearing to read "Michael S. Marcus", is written over a horizontal line.

Date: July 30, 1999

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